UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1999/33
22 July 1999

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of Discrimination
and Protection of Minorities
Fifty-first session
Item 4 of the provisional agenda

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Note verbale dated 15 June 1999 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

The Permanent Mission of the Republic of Iraq to the United Nations Office at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to enclose herewith* a study entitled "The economic sanctions imposed on Iraq".

The Permanent Mission of the Republic of Iraq would be grateful if the enclosed study could be circulated as an official document of the fifty-first session of the Sub-Commission under agenda item 4.

---

* The annex as received in Arabic is reproduced in English only.

Annex

THE ECONOMIC SANCTIONS IMPOSED ON IRAQ

Study submitted by the Government of the Republic of Iraq to the fifty-first session (1999) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

Introduction

1. It has become evident in recent years that, in spite of the termina of the cold war, some major Powers are continuing to exploit their domina political and economic position at the international level in order to im coercive measures of an economic nature (economic sanctions), either unilaterally or in the name of the United Nations, on some developing countries with a view to undermining the political, economic and social systems that they have chosen for themselves. The "Gulf crisis and war" (so-called by the Western information media), which led to armed aggressi against Iraq under the leadership of the United States of America and its allies, provided clear proof of the hegemony that a single political bloc exercising over the international political will.

2. The economic sanctions were imposed on Iraq in accordance with Security Council resolution 661 (1990) on the pretext of its failure to c with Security Council resolution 660 (1990) calling for the withdrawal of Iraqi forces from Kuwait. That resolution was mandatory and comprehensiv and, although it exempted medical supplies and foodstuffs, in practice th exemption had no notable value in view of the fact that Iraq's assets abr were frozen and Iraq was denied any opportunity to obtain financial resou

3. The comprehensive embargo did not end when the reasons that had ind the Security Council to impose it lost their validity; it was rigorously continued, particularly in the light of the controversial content and man of adoption of Security Council resolution 687 (1991) which, while invalidating the grounds on which the embargo had been imposed, arbitrari linked the question of the embargo to the extent of Iraq's compliance wit previous and subsequent Security Council resolutions.

4. One of the principal concepts of the law of war distinguishes between combatants and civilians. As already indicated, the latter should not be a target in war and weapons should be designed and used in such a way as to target combatants and avoid inflicting excessive harm on civilians. However, although economic sanctions are not a Cruise missile, they have proved to be an invisible but highly dangerous weapon that complements the general bombardment operations. In the words of the former United States President Wilson, "economic sanctions provide a silent but lethal cure".

5. After more than eight years of this comprehensive embargo, it is impossible to imagine the situation of a people that has been totally deprived of all the necessities of life following the destruction of its economic infrastructure. The years of the embargo have completed the devastation caused by the Coalition forces during their random and intensive bombardment of all Iraqi territory which indiscriminately destroyed most of its vital installations.

6. The United Nations agencies and the delegations of international humanitarian organizations operating in Iraq have witnessed the extent of the appalling devastation inflicted on Iraq. They have also witnessed the increasingly severe effects of the comprehensive embargo, illustrated by the sword of Damocles that is constantly hanging over large sections of the Iraqi people as a result of the lack of food and medicine, the breakdown of the economic structure and the collapse of the service sectors that have a close bearing on health.

7. Washington has succeeded in perpetuating the sanctions and linking them to a series of complex conditions and demands with which Iraq cannot prove its compliance. The United States Administration has also issued numerous statements confirming that the sanctions will continue even if Iraq complies with the relevant Security Council resolutions. These statements constitute a violation of the Charter and resolutions of the United Nations and all human rights instruments.

The impact of the economic sanctions on economic, social and cultural rights

8. The impact of the economic embargo that has been imposed on Iraq since 2 August 1990 has affected all aspects of life and has delayed progress and development in all fields. Today, the Iraqi people, including both adults

and children, can be said to be facing destruction and annihilation by a weapon that is just as lethal as weapons of mass destruction, namely the economic embargo. The following is a brief review of the damage caused in some vital sectors which have a direct bearing on the lives of citizens.

The health sector

9. The war and the embargo have led to an appalling deterioration in the health situation in Iraq due to the dire lack of medical equipment and spare parts and the shortage of medicines, medical requisites and laboratory equipment. Consequently, there are insufficient opportunities to obtain health care and adequate food and there has been a considerable decline in the standard of health services, as a result of which diseases caused by malnutrition, emaciation, vitamin deficiency and lack of calories have spread, particularly among children in the under-five age group.

10. The embargo has unquestionably had the greatest impact on children, bearing in mind the fact that they constitute 45.6 per cent of Iraq's population, as indicated in the report prepared by the United Nations emissary, Sadruddin Agha Khan, during his visit in the wake of the aggression against Iraq in 1991. A document published by UNICEF in 1994 confirmed that the situation of women and children in Iraq was still deteriorating. After the Gulf war, the infant mortality rate rose from 28 to 64 per 1,000 live births and the child mortality rate rose from 48 to 80 per 1,000 live births. According to a UNICEF report for 1997, about 1 million children in Iraq were suffering from chronic malnutrition. Mr. Philippe Heffinck, the former UNICEF representative at Baghdad, said that: "We have observed a dramatic decline in the nutritional situation since 1991. What concerns us now is that there is no sign of improvement since the oil-for-food agreement came into effect. The children are clearly the principal victims of the deteriorating economic situation and must be protected from its dangerous effects, otherwise they will continue to suffer, which is unacceptable". In his report to the General Assembly in 1995, the former Secretary-General of the United Nations referred to the tragic situation in Iraq and noted that child mortality was constantly increasing due to the diseases caused by malnutrition and the lack of adequate health care. In the position paper issued on 5 January 1995, he called for the adoption of a mechanism to alleviate the effects of the sanctions on vulnerable categories.

11. The economic sanctions have caused a severe shortage of food, medicine and other vital necessities and have deprived all sections of the population, and particularly children, of their most basic humanitarian needs. In March 1999, there were 6,399 cases of mortality among children under 5 years of age due to a number of specific diseases and the total number of deaths among children from the beginning of the embargo in 1990 to the end of 1998 exceeded one and a half million due to the increasing incidence of viral hepatitis, respiratory infections, infantile paralysis, malaria and malnutrition.

12. Studies carried out by a team from Harvard University in 1991 showed that the embargo had clearly affected Iraqi women, 57 per cent of whom were suffering from psychological disorders, particularly anxiety, depression, irritability, insomnia, weight loss and headaches, in addition to their increasing work burdens caused by the circumstances of the embargo. The embargo had also affected children, who were suffering from a number of psychological disorders and diseases, particularly of an emotional nature (depression, sadness, anxiety, difficulties in sleeping and concentrating, fear), in addition to cognitive disorders, especially uneasiness and apprehensions concerning the future.

13. The embargo has caused a dire shortage of basic medicines, medical requisites and some types of vaccines and sera used for preventive and therapeutic purposes, as well as antibiotics and other vital medicines and requisites needed to treat diabetes, cancer, chronic kidney and heart diseases and high blood pressure.

14. The tragic situation in Iraq attracted the attention of the Secretary-General of the United Nations who, in paragraph 711 of his 1995 report to the General Assembly, described the humanitarian situation in Iraq as follows: "Health conditions have continued to deteriorate throughout the country because of shortages of essential drugs and medical supplies. The situation is further aggravated by the inadequate supply of potable water and poor sanitation facilities, as essential equipment and spare parts are lacking to rehabilitate the water, sewage and electricity supply systems". In paragraph 716 of the same report, the Secretary-General said that: "... children are increasingly dying of ailments linked to malnutrition and lack of adequate medical care".

15. At a press conference held at Geneva in March 1996, the WHO assistant regional director for the Middle East said that, as a result of the embargo that had been imposed on Iraq since 1990, the health situation in that country had been put back 50 years.

16. According to paragraph 821 of the report submitted by the Secretary-General of the United Nations to the General Assembly (A/51/1), the humanitarian assistance that Iraq had received remained significantly below the requirements resulting from the difficulties faced by children, women, elderly people and an increasing number of indigent families in Iraq and several United Nations agencies operating in the field had reported a continued deterioration of health and nutritional conditions, with an estimated 4 million people, the majority of whom were children under five, being in danger of severe physical and mental damage as a result of malnutrition.

17. During his visit to Iraq in May 1997, Mr. Yasushi Okashi, the Under-Secretary-General of the United Nations for Humanitarian Affairs, affirmed that he had actually seen real human suffering and the lamentable and tragic situation of the hospitals not only at Baghdad but also in the northern regions. He went on to say that what he had seen during his visit clearly indicated that the inhuman sufferings of the people of Iraq were tragic consequences of the embargo that the Security Council had imposed on Iraq. He added that what he had seen was an unfortunate consequence of the economic sanctions that the Security Council had decided to impose under specific circumstances and that was a matter which the international community should discuss as an individual case.

The education sector

18. The aggression that the Coalition States launched against Iraq, as well as the ongoing embargo, have had serious adverse repercussions on the development of the standard of education, science and culture in Iraq. When educational establishments such as schools, institutes, colleges, kindergartens and cultural institutions were subjected to heavy aerial bombardment, these facilities became unable to play their educational role in a proper manner due to the severe lack of educational technology, teaching

aids, laboratory equipment, library supplies and requirements for the printing of school books, the manufacture of furniture and other items needed for educational purposes.

19. A further example of the deterioration in the education sector is the severe shortage of the most basic requisites for the educational process, such as school chairs (deficit of 650,000), school textbooks (deficit of 40 million) and even pencils and copybooks, in addition to the fact that more than 9,000 school buildings require repair, renovation and maintenance. This has been a major cause of the increase in the number of students dropping out of school (more than 400,000 drop-outs in all the primary grades). The embargo on education has widened the scientific and technological development gap between Iraq and the outside world since the universities and specialized academic institutions are no longer able to contact or exchange information, expertise and students with their foreign counterparts due to their lack of financial resources.

20. The iniquitous aggression against Iraq in 1991 and the economic embargo have had serious repercussions on the educational process. The damage inflicted on this sector is illustrated by the following:

Large numbers of children have dropped out of kindergartens and schools for various reasons, including high transport costs, the failure to provide school meals and the lack of entertaining games and educational aids. Students engage in odd-jobbing in order to help their parents or guardians to meet the costs of food, clothing and other daily requirements.

In the academic year 1994/95, the number of drop-outs from primary education amounted to 86,413, i.e. 3.4 per cent of the total number of students.

In the same academic year, the number of drop-outs from secondary education amounted to 62,345 (1.8 per cent at the preparatory level and 7.6 per cent at the intermediate level).

In the academic year 1994/95, the number of children enrolled for compulsory education at primary schools dropped to 3,392,560, although plans had been made to enrol 3,745,532 students. The number of male and female student drop-outs from primary and secondary education amounted to 627,672 and 286,998 respectively.

21. According to a UNICEF report for 1997, the drop-out rate from primary schools amounted to 73 per cent of all children from 6 to 11 years of age. The report also showed that a quarter of all the children entitled to enrol for primary education were not attending school. A UNESCO report for 1998 expressed concern at the increasing number of children dropping out of school due to their families' bad economic situation, which forced them to seek marginal forms of wage-earning employment in order to supplement their family income. The delinquency rates among juveniles and children have also risen, as a result of which they are exposed to psychological and social dangers that threaten their future.

22. In December 1998, Philippe Heffinck, the former UNICEF representative at Baghdad, affirmed that more than a million Iraqis had not attended school and a further 200,000 had abandoned their studies prematurely between the years 1996 and 1997.

23. In the field of cultural relations, most of the 34 cultural agreements concluded between Iraqi universities and their Arab and foreign counterparts up to the end of 1989 have been suspended. Only five such agreements were signed in 1995 and, during the first half of 1996, only three agreements were signed and one renewed. The number of participants in international, cultural and scientific conferences and activities declined from 1,421 delegates in 1989 to 95 in 1996. The number of Arab and foreign professors visiting Iraq also declined from 252 in 1989 to 11 in 1996 due to the difficulty of reaching the country and the lack of the hard currency needed to pay their travel expenses.

The environmental sector

24. The devastation caused by the military aggression launched against Iraq on 17 January 1991, the effects of which will continue to be felt by future generations, inflicted heavy damage on all the constituent components of the environment and also on the public health sector, as a result of which there has been an abnormal increase in the incidence of cancer, nervous and muscular disorders and other diseases. The quantity of explosives dropped on Iraq was equivalent to seven times the destructive force of the atomic bomb dropped on Hiroshima in Japan and the United States and British forces also used munitions containing uranium. Paul Rogers, a defence analyst at Bradford University, affirmed that the United States Navy was equipped with tactical

nuclear weapons but had confined itself to the use of another internationally prohibited weapon, "BLU-82", which produces a fireball that burns everything in front of it within a radius of 750 m. The dropping of this quantity of explosives, in addition to destroying munitions, weapons, industrial and oil installations and electric power generation plants, etc., also released thousands of tons of toxic substances into the various components of the environment (air, water and soil) thereby causing extensive damage to the ecosystem in general and, even more seriously, killing human beings who constitute both the means and the object of the development process.

25. The catastrophic effects of the use of this quantity and type of munitions became clearly evident when Iraqi and foreign physicians observed a rapid increase in the incidence of cancer, particularly among children. Persons working for humanitarian organizations, including United Nations agencies, said that Iraqi children were playing with the empty casings of various munitions, including those containing depleted uranium, and there was undoubtedly a close link between those munition casings and the increase in the incidence of cancer and particularly leukaemia.

26. Large quantities of pollutant substances were also released into the atmosphere as a result of the bombardment of the industrial and oil installations and power generation plants, as illustrated by the bombardment of the oil installations at Kirkuk on 25 January 1991 when 3 million litres of crude oil went up in flames, and the bombardment of the oil installations in the governorate of Salahuddin on 17 March 1991, which led to the combustion of 5 million litres of gas. On the same day, the bombardment of the al-Haritha oil installations at Basra led to the seepage of 17 million litres of crude oil. The bombardment of the oil installations at Najaf caused the seepage of 3 million litres of engine oil into the soil and the bombardment of the phosphoric acid filtration plant at al-Anbar led to the seepage of 5,000 tonnes of acid.

27. The damage caused to the environment has also affected the health of citizens due to the suspension of the garbage collection and disposal operations and the inoperability of the sewage pumping plants, which forced the technical personnel to pump sewage directly into the rivers at a rate of 5 m³ per second, thereby considerably increasing the incidence of diseases. The efficiency of the municipal garbage disposal units was also reduced due

to the shortage of vehicles, spare parts and workers. In addition, the endeavours made to control air pollution and the measures taken to halt desertification were impeded and rendered unable to meet the minimum acceptable environmental and health standards due to the severe shortage of irrigation pumps, agricultural equipment and spare parts, seed, fertilizers and pesticides. As a result of the embargo, the green areas have shrunk to less than 50 per cent of their former size due to the increasing lack of vehicles at the nurseries and the fact that citizens were forced to cut down trees in order to use them for heating and cooking purposes following the destruction of the gas and oil by-product plants during the military aggression in 1991.